

STATE BOARD MEETING DATE

December 8, 2008

SUBJECT: Consideration of Certificate Review: **Carl W. Stoeckel**, Case No. **C-2007-028R**

SUBMITTED BY: Charles Easaw, Chief Investigator, Investigative Unit, State Board of Education

MANAGEMENT TEAM REVIEW: November 13, 2008

BACKGROUND INFORMATION:

Carl W. Stoeckel applied for a Standard Special Education ED and a Standard Special Education LD certificate on May 27, 2008. On his application, he disclosed that he was arrested in February 1974, and charged with possession of marijuana. He failed to disclose that on April 29, 2004, he was arrested by the Tucson Police Department for Sex Offenses/Lewd and Lascivious Acts. His fingerprint clearance card was suspended by the Department of Public Safety ("DPS").

He was notified by the Investigative Unit that his application required a review by the Professional Practices Advisory Committee ("the PPAC") of the State Board of Education ("the Board").

The Investigative Unit obtained records from the Tucson City Court which revealed the charge was reduced to Criminal Nuisance. His fingerprint clearance card was reinstated.

On October 14, 2008, the PPAC conducted a review of Mr. Stoeckel's application. The following information was presented and considered by the committee:

Mr. Stoeckel disclosed on April 29, 2004 he went to Greasewood Park in Tucson, Arizona, around 4:30 p.m. While there he encountered an acquaintance and stopped to talk. They left the park path and went to a wooded area and engaged in consensual oral sex. An undercover police officer observed their activity and they were arrested. Mr. Stoeckel said that he accepted full responsibility for his action, lapse of judgment and will not repeat that conduct.

Mitigating factors:

- His former employer rehired him following a decision by the Arizona Board of Fingerprinting to reinstate his fingerprint clearance card
- Letters of recommendations submitted on his behalf
- His participation in community activities which included the cleanup of the park where the underlining incident occurred
- Candor expressed before the committee
- Absence of recidivism

Aggravating factor:

- Nature of the second of the two offenses, particularly that the conduct occurred at a time and place where it could have been witnessed by parents and children.

**BOARD ACTION REQUESTED: [] INFORMATION [X] ACTION/DESCRIBED
BELOW:**

That the Board accept the findings of fact, conclusions of law and recommendation of the PPAC
and **grant** the application for certification.

ATTACHMENTS: YES [X] NO []